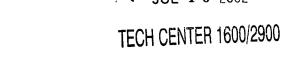
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PATENT 0690-0110P

N THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:

JUL 1 2 2007

Wolfgang M. FRANZ et al. CONF:

2640

APPLN. NO.:

09/068,751

GROUP:

1635

FILED:

November 2, 1998

EXAMINER: M. Schmidt

FOR:

GENE-THERAPEUTIC NUCLEIC ACID CONSTRUCT, PRODUCTION OF SAME AND USE OF SAME IN THE

TREATMENT OF HEART DISEASE

LETTER

Honorable Commissioner of Patents Washington, D.C. 20231

July 12, 2002

Sir:

Attached herewith please find the original Declaration of Wolfgang M. Franz Under 37 C.F.R. § 1.132, a photocopy of which was submitted with the Amendment filed on June 20, 2002, for illing in the above-identified application.

If the Examiner has any questions concerning this application, he is requested to contact the undersigned at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees

Application Number: 09/068,751

required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By: Mark J. Nuell

Reg. No. 36,623

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

DRN/bsh attachment